

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NUMBER: 25-MJ-00015-SMM

UNITED STATES OF AMERICA,

v.

MARCELO CORTES-JIMENEZ,

Defendant.

FILED BY YAR D.C.

Feb 7, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FORT PIERCE

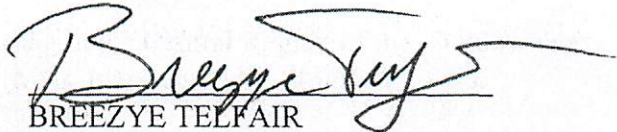
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)? **No.**
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? **No.**
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? **No.**
4. Did this matter involve the participation of or consultation now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? **No.**

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

By:


BREEZYE TELFAIR

Assistant United States Attorney
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AO 91 (Rev. 11/11) Criminal Complaint

AUSA Breezye Telfair

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

MARCELO CORTES-JIMENEZ,

Case No.

25-MJ-00015-SMM

*Defendant(s)*FILED BY YAR D.C.**Feb 7, 2025**ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FORT PIERCE

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 7, 2025 in the county of Indian River in the
Southern District of Florida, the defendant(s) violated:*Code Section*

8 U.S.C. § 1326(a)

Offense Description

Previously Removed Alien Found in the United States.

This criminal complaint is based on these facts:

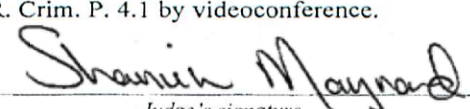
-SEE ATTACHED AFFIDAVIT-

☒ Continued on the attached sheet.
Complainant's signature

Angelo Zaravelis, Deportation Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by videoconference.

Date: February 7, 2025
*Judge's signature*City and state: Fort Pierce, Florida

Shanek Mills Maynard, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Angelo Zaravelis, being duly sworn, depose and state as follows:

1. I am a Deportation Officer of the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), and have been employed in a similar capacity since 2007. I am currently assigned to Enforcement and Removal Operations, Criminal Apprehension Program, Stuart, Florida. As a Deportation Officer with ICE, my duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Marcelo CORTES-JIMENEZ ("CORTES-JIMENEZ") committed the offense of being a previously removed alien found in the United States, in violation of Title 8, United States Code, Sections 1326(a).

3. On or about January 30, 2025, CORTES-JIMENEZ was arrested in Indian River County, Florida for the offense of driving with expired license more than six months. Indian River County Jail booking officials notified the Stuart, Florida ICE office due to CORTES-JIMENEZ reporting a foreign place of birth, which alerted ICE to CORTES-JIMENEZ's presence in the United States.

4. I reviewed documents from the immigration alien file belonging to CORTES-JIMENEZ, AXXX XXX 461. A review of Department of Homeland Security electronic records and the immigration alien file assigned to CORTES-JIMENEZ show that he is a native and citizen of Mexico. Records show that on or about October 17, 2018, CORTES-JIMENEZ was ordered

removed from the United States. Records in the alien file show that on or about June 15, 2024, CORTES-JIMENEZ was removed from the United States to Mexico.

5. Thereafter, CORTES-JIMENEZ re-entered the United States illegally. Records in the alien file show that on or about June 22, 2024, CORTES-JIMENEZ was again removed from the United States to Mexico.

6. Thereafter, CORTES-JIMENEZ re-entered the United States illegally. Records in the alien file show that on or about June 27, 2024, CORTES-JIMENEZ was again removed from the United States to Mexico.

7. On January 31, 2025, CORTES-JIMENEZ, Post-Miranda, stated that he is a citizen of Mexico, that he was previously removed from the United States, that he reentered the United States without being inspected, and that he did not request permission to reenter the United States.

8. CORTES-JIMENEZ's fingerprints, taken in connection with his January 30, 2025 arrest, in Indian River County, were scanned into the IDENT system, a biometric database maintained by the Department of Homeland Security. Results confirmed that the fingerprints belong to the individual, who was previously removed from the United States, that is, Marcelo CORTES-JIMENEZ.

9. A record check was performed in the Computer Linked Application Informational Management System ("CLAIMS"), to determine if CORTES-JIMENEZ had filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist, indicating that CORTES-JIMENEZ obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

10. Based on the foregoing, there exists probable cause to believe that, on or about January 7, 2025, Marcelo CORTES-JIMENEZ, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a).



Angelo Zaravelis
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me, by videoconference, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure, in Fort Pierce, Florida, this 7th day of February, 2025.



SHANIEK MILLS MAYNARD
UNITED STATES MAGISTRATE JUDGE

